

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

TERRY LYNN KING,)
)
)
Plaintiff,) **CAPITAL CASE**
)
)
v.) **Case No. 3:18-cv-01234**
)
)
FRANK STRADA, et al.,) **JUDGE TRAUGER**
)
)
Defendants.))

DONALD MIDDLEBROOKS,)
)
)
Plaintiff,) **CAPITAL CASE**
)
)
v.) **Case No. 3:19-cv-01139**
)
)
FRANK STRADA, et al.,) **JUDGE CRENSHAW**
)
)
Defendants.))

JOINT STATUS REPORT

Pursuant to an agreement of the parties (*King* Dkt. 219-3; *Middlebrooks* Dkt. 59-3) and the orders of the Court (*King* Dkt. 227; *Middlebrooks* Dkt. 78), these cases have remained stayed pending the completion of corrective actions to comply with the recommendations in the Report and Findings of the Tennessee Lethal Injection Protocol Investigation and Governor Lee's Directives (*King* Dkt. 229-1, 229-2; *Middlebrooks* Dkt. 81-1, 81-2).

On January 8, 2025, the Commissioner signed a new lethal injection protocol. The parties' agreement provides that Defendants will not object to Plaintiffs King or Middlebrooks "amending his complaint one time within ninety (90) days of . . . adoption [of a new protocol] to address such

a[n] adoption in one count asserting a facial challenge to the . . . new protocol.” Dkt. 219-3, at 3,

¶ 1.

On February 6, 2025, counsel for both Plaintiffs King and Middlebrooks met in-person with counsel for Defendants to discuss preliminary matters related to moving forward with these cases, including: anticipated amendments by Plaintiffs, agreed entry of a preliminary protective order to facilitate the exchange of confidential information before amendment, general approaches to case management, and matters left unresolved before entry of the stay. Discussion of those and other matters are continuing in good faith efforts to reach agreements for submission to the Court. At this time, the parties are not prepared for a status conference with the Court, but they will request one if necessary after further discussion.

Given the ongoing work between counsel, Defendants ask that they be relieved of the obligation to file a status update every 90 days. *King* Dkt. 227; *Middlebrooks* Dkt. 78.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on the 12th day of February, 2025, a copy of the foregoing was filed and served via the Court's CM/ECF system on the following counsel for *Middlebrooks*:

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